



City of Seattle

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Gregory J. Nickels, Mayor

**Department of Design, Construction and Land Use**

D. M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR OF  
THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

**Application Number:** 2206919

**Applicant Name:** Sharon Hammel

**Address of Proposal:** 2706 S. Jackson St.

**SUMMARY OF PROPOSED ACTION**

Master Use Permit for the future expansion of an existing private school (Seattle Girls School). Project includes the future construction of a two-story 7,184 square foot classroom building and a three-story classroom building 19,843 square feet in size. Parking for 34 vehicles to be established by covenant at 2715 S. Jackson Street. Existing commercial structure to be removed.

The following approvals are required:

Administrative Conditional Use - To expand an institution in an SF 5000 zone.  
(Seattle Municipal Code Chapter 23.44.022)

SEPA - Environmental Determination  
(Seattle Municipal Code Chapter 25.05)

Special Exception – To allow the increase of the maximum building size to 25,000 sq. ft.  
(Seattle Municipal Code Chapter 23.47.009.G1)

**SEPA DETERMINATION:** ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

☒ DNS with conditions

☐ DNS involving non-exempt grading or demolition, or  
involving another agency with jurisdiction.

## **BACKGROUND DATA**

### **Site and Vicinity Description**

The subject site is located in the Central Area of Seattle at the corner of S Jackson St and Martin Luther King Jr. Way S (MLK Jr. Way S). The property is an L-shaped corner lot containing 10,565 square feet of land. The zoning of the project site is split between Single Family 5,000 (SF 5000), and Neighborhood Commercial Two with a forty (40) foot height limit (NC2-40). Currently the property contains a small one story prefabricated building which is the 4,970 square feet in size and home to the Seattle Girls School.

Development in the surrounding area consists of religious centers, a food mart and two residential buildings. A portion of the project site is separated from MLK Jr. Way S, and S. Jackson St. by a small triangular piece of land that currently contains a billboard.

### **Proposal Description**

The applicants propose to expand the existing school by adding two additional buildings to the site. A two story classroom is proposed in the SF 5000 portion of the property and three-story structure is proposed to the east in the NC2-40 portion of the site. The two-story structure would be 7,184 square feet in size and situated along MLK Jr. Way S. The three-story building would be situated east of the existing structure on the NC2-40 portion of the property along S. Jackson Street. The proposed use requires 34 parking spaces which are proposed across S. Jackson Street in a church parking lot by parking covenant.

### **Public Comment**

No comment letters were received during the official public comment period, which ended January 1, 2003.

## **ANALYSIS - ADMINISTRATIVE CONDITIONAL USE (SMC 23.44.022)**

The Land Use Code allows the expansion of existing institutions into residential zones through the administrative conditional use process. This proposal is subject to the development standards outlined in section 23.44.008 through 23.44.016 of the Seattle Municipal Code (SMC). The director's decision has the authority to approve, condition or deny a conditional use application. This decision shall be based on whether the proposed use will be materially detrimental to the public welfare or injurious to property. In addition to the general single family development standards institutions are subject to the standards of SMC 23.44.022. The applicable criteria used for evaluating and or conditioning the applicants proposal are discussed below.

### **D. General Provisions**

*New or expanding institutions in single family zones shall meet the development standards for uses permitted outright in Section 23.44.008 through 23.44.016 unless modified elsewhere in this subsection or in a Major Institution Master Plan.*

According to the plans submitted with the application, the proposal meets the applicable development standards enunciated in Section 23.44.008 through 23.44.016.

E. Dispersion

*The lot line of any proposed new or expanding institution, other than child care centers locating in legally established institutions, shall be located six hundred feet (600') or more from any lot line of any other institution in a residential zone, with certain exceptions.*

At this location there are other institutions in single family zoned properties within 600 feet of the project site. The proposal meets exception 1.b which allows the intent of dispersion to be met by topographical elements like arterials. S Jackson Street, an arterial at this location, separates the school from the other institutions successfully achieving the objective of dispersion.

F. Demolition of Residential Structures

*No residential structure shall be demolished nor shall its use be changed to provide for parking.*

No demolition of residential structures is proposed for parking; therefore, this criterion is not applicable.

G. Reuse of Existing Structures

*Existing structures may be converted to institution use if the yard requirements for institutions are met.*

The proposal is for new construction.

H. Noise and Odors

*For the purpose of reducing potential noise and odor impacts, the Director shall consider the location on the lot of the proposed institution, on-site parking, outdoor recreational area, trash and refuse storage areas, ventilating mechanisms, sport facilities, and other noise generating and odor-generating equipment, fixtures or facilities. The institution shall be designed and operated in compliance with the Noise Ordinance, Chapter 25.08.*

The proposed institutional expansion in the single family zone is not expected to generate significant increased noise and odors. None of the activities proposed as part of the typical use of the site will exceed the maximum permissible sound levels as established and modified in the SMC Chapter 25.08. There is no parking proposed onsite and the drop-off and pick-up of students will occur in an existing commercially zoned parking lot across S. Jackson St. An existing 6 foot high wood fence along the eastern boundary of the property will provide a noise buffer to the adjacent single family homes. This proposal does not include outdoor play areas as there is an existing park one block east of the property.

I. Landscaping

*Landscaping shall be required to integrate the institution with adjacent areas, reduce the potential for erosion or extensive stormwater runoff, screen parking from adjacent residentially zoned lots or streets or to reduce the appearance of bulk of the institution.*

The overall landscape design proposed for this expansion has been planned to blend with existing landscaping already present on site. The proposed structure in the SF 5000 portion of the site has been designed to face the interior of the lot in order to better interact with the existing structure on site. A pedestrian pathway linking the two buildings to each other and the sidewalk along is proposed for the eastern property line. Along MLK Jr Way S the applicant proposes new trees in the planting strip and along the western façade of the new building mingled together with juniper, salal and rose bushes. The overall design of the landscaping aids in making the proposal well integrated with its surroundings and sufficiently buffered from adjacent residences.

J. Light and Glare

*Exterior lighting shall be shielded or directed away from adjacent residentially zoned lots.*

All exterior lighting will direct light downward to minimize light and glare on neighboring properties.

K. Bulk and Siting

1. *Lot Area. If the proposed site is more than one (1) acre in size, the Director may require the following and similar development standards:*

a. *For lots with unusual configuration or uneven boundaries, the proposed principal structures be located so that changes in potential and existing development patterns on the block or blocks within which the institution is located are kept to a minimum.*

The lot is less than one acre.

b. *For lots with large street frontage in relationship to their size, the proposed institution reflect design and architectural features associated with adjacent residentially zoned block faces in order to provide continuity of the block front and to integrate the proposed structures with residential structures and uses in the immediate area.*

The proposal includes architectural features that help it to integrate in bulk and scale with the surrounding single family neighborhood. The setback requirements of the zone are met.

2. *Yards. Yards of institutions shall be as required for uses permitted outright in Section 23.44.008, provided that no such structure other than freestanding walls fences, bulkheads or similar structures shall be closer than ten feet (10') to the side lot line. The Director may permit yards less than ten feet (10') but not less than five feet (5') after*

*finding that the reduced setback will not significantly increase impacts, including but not limited to noise, odor and comparative scale, to adjacent lots zoned residential and there will be a demonstrable public benefit.*

The proposed site has a 10-foot side yard on the west side yard. The east side yard is proposed to be 25 feet along the property line and will not significantly increase impacts to adjacent lots or the neighborhood.

3. *Height Limit. A religious symbol and that portion of the roof supporting it, including but not limited to a belfry or spire, may be extended an additional twenty-five feet (25') above the height limit.*

This provision is not applicable.

4. *Facade Scale. If any facade of a new or expanding institution exceeds thirty feet (30') in length, the Director may require that facades adjacent to the street or a residentially zoned lot be developed with design features intended to minimize the appearance of the bulk. Design features which may be required include, but are not limited to, modulation, architectural features, landscaping or increased yards.*

The proposed structure includes façade modulation, roof line variation, and landscaping to minimize the appearance of bulk. No further mitigation is required.

L. Parking and Loading Berth Requirements

*SMC 23.44.022.L provides that the Director may modify the parking and loading requirements of Section 23.54.15, required parking, and the requirements of Section 23.44.016, parking location and access, on a case by case basis using the information contained in the transportation plan prepared pursuant to Subsection M of this section. The modification shall be based on adopted City Policies and shall:*

i. *Provide a demonstrable public benefit such as, but not limited to, reduction of traffic on residential streets, preservation of residential structures, and reduction of noise, odor, light and glare; and*

No parking is currently provided on site. All required parking for the faculty member and parent pick-up and drop-off will be located in an existing church parking lot across S Jackson St. In addition the school has created a transportation management plan (TMP).

ii. *Not cause undue traffic through residential streets nor create a serious safety hazard.*

No traffic will be routed through residential streets nor will there be a safety hazard.

M. Transportation Plan

*A transportation plan shall be required for proposed new institutions and for those institutions proposing expansions which are larger than four thousand (4,000) square feet of the structure area and/or required to provide twenty (20) or more spaces.*

A transportation plan has been submitted and reviewed in this analysis. The TMP creates a institution transportation coordinator who will promote rideshare options and provide local transit information.

### **DECISION - ADMINISTRATIVE CONDITIONAL USE**

The conditional use application is **APPROVED WITH CONDITIONS** as indicated at the end of this document.

### **ANALYSIS – SPECIAL EXCEPTION**

Special Exception pursuant to Section 23.47.009G.1b allows increases in maximum size limit for operating business establishments or uses with the NC2- 40 zones. All requests for expanded size shall be based on the following factors:

- a. *The impacts of the operating business establishment and the anticipated impacts if an increase in size were permitted;*

This portion of the central area, along S Jackson St although zoned NC2-40 is boarded by residential uses and zoning. Expanding the existing school in such a location is a compatible use. Schools bring activity to the street and surrounding area during the days and occasional evening rendering this use more compatible to the near-by residential homes. Due to the convenient location of an existing parking lot, the expansion will not be accompanied by new impervious parking surfaces which would sit vacant 50% of the time.

- b. *The availability of commercial space in the zone for uses which contribute to the function and desired characteristics of the zone, as described in Chapter 23.34;*

There are opportunities for commercial development and redevelopment in the vicinity. S. Jackson Street is one key commercial corridor through the central area; many buildings to the west of MLK Jr. Way S. have been slowly redeveloped over the past five years. This portion of S. Jackson St, which is east of MLK Jr. Way S, functions as a buffer between a single family zoned and developed portion of the central area and the commercial portion. The uses which have recently settled along this portion of S. Jackson St. are compatible to single family zones, they rarely operate in the evenings and weekends. If they are open on a Sunday or Saturday it is only for a few hours.

- c. *The number of business establishments present in the zone that are similar to the business establishment for which expansion is proposed;*

There are no other private or public schools in the near vicinity. However Leschi elementary school is about half a mile north east of the project site and Garfield High School is

approximately a mile north west the property. Both of these schools are located in predominately residential areas just off main arterials streets with similar hours of operation.

- d. The compatibility of the operating business establishment with the character and scale of the business district and the surrounding neighborhood; and*

The proposed expansion of the three-story classroom building is not out of character with existing commercial development in the area. Less than a mile west along the same neighborhood commercial corridor are two shopping centers also designed to face inward from the street and have a campus feel.

- e. The length of time the business establishment has been operating.*

The Seattle School has been operating in this location since the fall of 2001.

### **DECISION – SPECIAL EXCEPTION**

The Special Exception to expand the maximum size limit from 15,000 to 24,813 is **GRANTED**.

### **ANALYSIS - SEPA**

The initial disclosure of the potential impacts from this project was made in the annotated environmental checklist dated July 24, 2002 and supplemental information in the project file. This information, along with the experience of the lead agency in similar situations, form the basis for this analysis and decision. No long-term impacts are anticipated from this proposal. Short-term impacts are discussed below.

The SEPA Overview Policy (SMC 25.05.665.D) states "where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation," subject to limitations. Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Storm Water, Grading and Drainage Control Ordinance (grading, site excavation and soil erosion); Street Use Ordinance (watering streets to suppress dust, obstruction of the pedestrian right-of-way during construction, construction along the street right-of-way, and sidewalk repair); Building Code (construction standards); and Noise Ordinance (construction noise). Compliance with these codes and ordinances will be adequate to achieve sufficient mitigation of identified adverse impacts. Thus, mitigation pursuant to SEPA is not necessary for these impacts. Other short-term impacts not noted here as mitigated by codes, ordinances or conditions (e.g., increased traffic during construction, additional parking demand generated by construction personnel and equipment, increased use of energy and natural resources) are not sufficiently adverse to warrant further mitigation.

#### **Short-Term Impacts**

The following temporary or construction-related impacts are expected: potential soil erosion during grading, excavation and general site work; increased run-off; tracking of mud onto

adjacent streets by construction vehicles; increased demand on traffic and parking from construction equipment and personnel; conflict with normal pedestrian movement adjacent to the site; increased noise; and consumption of renewable and non-renewable resources. Due to the temporary nature and limited scope of these impacts, they are not considered significant (SMC Section 25.05.794). Although not significant, these impacts are adverse.

Construction noise may be adverse enough to warrant mitigation. The proximity of residential uses is such that the limitations of the Noise Ordinance would be inadequate to mitigate potential noise impacts. Pursuant to SEPA policies in SMC Section 25.05.675.B, the hours of construction, including excavation, foundation installation activities shall be limited to between 7:30 a.m. and 6:00 p.m. on non-holiday weekdays and between the hours of 9:00 a.m. and 6:00 p.m. on Saturdays. Some extra-ordinary activities may require occasional Sunday and evening work. If such work is planned, a request should be submitted in writing to the DCLU Planner (Glenda Warmoth 206-684-0966) and should be requested prior to each occurrence.

### **DECISION - SEPA**

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).
- [ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(C).

### **CONDITIONS - SEPA**

#### **During Construction**

The following condition to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. The conditions will be affixed to placards prepared by DCLU. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other weatherproofing material and shall remain in place for the duration of construction.

1. Pursuant to SEPA policies in SMC Section 25.05.675.B, the hours of construction, including excavation, foundation installation and framing activity shall be limited to between 7:30 a.m. and 6:00 p.m. on non-holiday weekdays and between the hours of 9:00 a.m. and 6:00 p.m. on Saturdays. Some extra-ordinary activities may require occasional Sunday and evening work. If such work is planned, a request should be submitted in



writing to the DCLU Planner (Glenda Warmoth 206-684-0966) and should be requested prior to each occurrence.

**CONDITIONS - ADMINISTRATIVE CONDITIONAL USE**

**For the Life of the Project**

1. An on site institution transportation coordinator shall be appointed at the beginning of every school year to encourage faculty, students and parent to use transit alternative outlined in the TMP.

Signature: \_\_\_\_\_ (signature on file) Date: April 21, 2003

Glenda Warmoth , Land Use Planner  
Department of Design, Construction and Land Use  
Land Use Services

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